

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402



Project Name: VINTAGE VIEW PUD SUBDIVISION

Case Number: PLD2003-00094; SEP2003-00010; EVR2003-00100, HAB2003-00292; ARC2003-000111

Location: Terminus of NE Leonard Road.

Request: The applicant is requesting preliminary plat approval to subdivide approximately 8.36 acres zoned R1-10 into 30 lots using the Planned Unit Development Standards, CCC 40.520.080.

Applicant: Vintage View LLC
Attn.: David Lugliani
16420 SE McGillivray
Suite 103-197
Vancouver, WA 98683
Phone: (360) 834-7800, E-mail: davidlugliani@attbi.com

Contact Person: Western Planning Associates, Inc.
William F. Horning
4621 SW Kelly Avenue
Portland, OR 97239
Phone: (360) 695-8340, E-mail: bill@westernplanning.com

Property Owner: APC Waterleaf LLC
16420 SE McGillivray
Suite 103-197
Vancouver, WA 98683
Phone: (360) 834-7800

RECOMMENDATION
DENIED¹

Team Leader's Initials: _____ Date Issued: July 28, 2004

Public Hearing Date: August 12, 2004

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Planner:	Michael Uduk	4385	Michael.uduk@clark.wa.gov
Engineer (Trans. and Stormwater):	Ali Safayi	4102	ali.safayi@clark.wa.gov
Engineer (Trans. Concurrency):	Shelley Oylear	4354	Shelley.oylear@clark.wa.gov
Team Leader:	Krys Ochia	4834	Krys.ochia@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Richard Drinkwater, P.E.	4492	Richard.Drinkwater@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	steve.schulte@clark.wa.gov

Comp Plan Designation: Urban Low Density Residential (UL)

Parcel Number(s): A portion of Tax Lot 7 (123833) located in the NE ¼ of Section 2, Township 1 North, Range 3 East of the Willamette Meridian.

Applicable Laws:

Clark County Code Chapter 12.05A (Transportation), 12.41 (Concurrency), 13.29 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 20.50 (SEPA), 18.307 (Single-Family Residential District, R1-10), 18.405 (Planned Development Unit, PUD), 18.403 (Review and Approval), 18.65 (Impact Fees), 13.08A (Sewer Connection), 13.40A (Water Connection), 17.301 (Land Division), 20.50.025 (3) (k) (Archaeology), 18.409 (Signs), 18.600 (Process), 18.330 (Shoreline Combining District), 13.51 (Habitat), 13.36 (Wetlands), 13.60 (Geologic Hazard Areas), RCW 58.17

¹ Even though staff is recommending denial of his project because of land use, transportation standards, and geo-hazards issues, some conditions of approval are provided this decision. The provision of these conditions does not constitute staff supports the development as proposed. If the Hearings Examiner finds sufficient evidence in the record to warrant the approval of this development as proposed, then staff requests to be granted an opportunity to identify appropriate traffic and geo-hazard conditions of approval.

Neighborhood Association/Contact:

Washougal River Neighborhood Association
Steve Gibson, Council Member
P.O. 11
Washougal, WA 98671

Time Limits:

The application was submitted and determined to be counter complete on December 30, 2003. The application was determined to be fully complete on May 13, 2004 (see Exhibit No. 11). The application should have been determined to be fully complete on January 20, 2004, but the applicant was asked to submit additional information thereby extending the deadline by 114 days (see Exhibit No. 10). Therefore, the County Code requirement for issuing a decision within 92 days lapses on August 13, 2004. The State requirement for issuing a decision within 120 calendar days, lapses on September 10, 2004.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on December 18, 2003. The pre-application was determined to be contingently vested as of November 26, 2003 (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on December 30, 2003, and determined to be fully complete on May 13, 2004. Given these facts the application is vested on November 26, 2003. There are no vesting issues regarding this matter.

Public Notice:

Notice of application and public hearing was mailed to the applicant and property owners within 300 feet of the site and Washougal Neighborhood Association June 14, 2004. One sign was posted on the subject property and two within the vicinity on July 23, 2004. Notice of the SEPA Determination and public hearing was published in "The Columbian" newspaper on July 23, 2004.

Public Comments:

The county did not receive any correspondence from the public regarding this application.

Project Overview

The applicant is requesting preliminary plat approval to subdivide approximately 8.36 acres² into 30 lots in the R1-10 zoning district. The applicant proposes to construct 15 duplexes (or paired townhouses) in a planned unit development (PUD) per Table 18.307.060, subject to the provisions of CCC 18.405 (Planned Unit Development and review and approval, CCC 18.403 (Review and Approval). The R1-10 Zoning District permits a single-family housing to occupy 10,000 square-foot lots (or a maximum density of 4.4 dwelling units per acre).

The request will also trigger a shoreline permit because the proposed grading and improvement on SE Leonard Road lies within Round Lake's Shoreline Conservancy Zone.³

Table 1 describes the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

Table 1: Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Public Facility (PF) and Urban Medium (UM)	R1-10	The site is vacant and has an undulating topography that slopes towards Round Lake. There are various evergreen and deciduous trees, brushes, and grass species. This site was previously approved as a portion of Sunrise Summit Phase 2
North	UM	R1-10	Some undeveloped lots in Sunrise Summit Phase 1, which is a part of the original PUD proposal.
East	PF	R1-10	Forested with second growth trees, shrubs and grasses of various species. This property has obtained approval for a 68 lot Sunrise Summit PUD (a.k.a. Waterleaf PUD).
South	UM	R1-10	Undulating forested property with trees, shrubs, and grasses of various species.
West	UM	R1-10	Acreage home site, forested with trees, shrubs, and grasses of various species.

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hesson clay loam (HcB, HcD), Olympus clay loam (OIB, OID), and Olympus stony clay loam (OmE), on slopes ranging from 8 percent to 30 percent. These soils have hydric soil-inclusive qualities that require

² The Development Program and Narrative for Vintage View Planned Unit Development indicates that the project site is approximately 8.25 acres, but data provided on the Preliminary Plat and Site Plan (Sheet 1 of 7) describes the site area as approximately 8.36 acres. This review is based on the 8.36 acre figure.

³ This property and the surrounding area have been annexed to the City of Camas, but by Resolution 2004-03-12, the county is acting on behalf of the city in this matter. See Exhibit 6, Application Form tab)

proper housing foundations because of their shrink-swell characteristics according to the Clark County Hydric List.

The jurisdictional wetlands and the shoreline conservancy zone are on the north and southwest sections of the property. Previous review of this site indicates the possible presence artifacts of historic and cultural significance. No known 100-year flood plain or buffer is mapped, though floodway fringe, conservancy shoreline zone, wetlands and slopes greater than 25 percent are mapped by the County's GIS Mapping System. The property profile also indicates that the site is located in an area with potential slope instability and severe soil erosion hazard. Also mapped are riparian habitat buffer and Washington Department of Fish and Wildlife (WDFW) priority habitat buffer.

The property is located within the City of Camas' urban growth area. It is situated in an area served by Fire Protection District 9, and the Camas School District. There are no park improvement and traffic impact fees districts identified for the area. The City of Camas provides public water and sewer services in the area.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE - Zoning:

Planned Unit Development (CCC 18.405)

Approval Criteria

CCC 18.405 establishes the purpose, applicability, standards and general requirements for a planned unit development (PUD) review, and stipulates that 5 specific findings that must be made prior to a PUD approval in the county. Staff finds that the proposed PUD cannot comply with all of the applicable sections in CCC 18.405.040 and 050), because:

Approval criterion 1

(T)he site of the proposed use is adequate in size and shape to accommodate the proposed use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features as required by this title, to ensure that the proposed use is compatible with the neighborhood land uses.

Finding 1

Staff finds that the development site is approximately 8.36 acres, and contains some wetlands, a riparian habitat buffer area and floodway fringe associated with Round Lake. Also mapped is the shorelines conservancy zone that will be impacted when SE Leonard Road is improved, as part of the site's development. The contour of the site shows potentially unstable slopes greater than 25 percent. These areas have been identified on the plat as areas that would be conserved and protected; and therefore, will not be developed. (See Table 2 for additional information) The applicant shall establish a covenant, conditions, and restrictions (CC & R's) to protect and govern the use of these areas. (See condition of approval A-1)

To create the type of gated community envisioned by the applicant, a perimeter landscaping plan is required to provide aesthetics and community ambiance in furtherance of the specific comprehensive plan policy to ensure compatible land uses in the neighborhood. If the applicant wishes to use the existing woods on the property to provide additional screening, then such a plan should be addressed in conjunction with the habitat permit issuance. (See condition of approval C-1)

Approval criterion 2

The site relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use. Adequate public utilities are available to serve the proposal.

Finding 2

Staff finds that the development could have potential adverse traffic impact in the neighborhood because no improved public street(s) exist in the area. The applicant proposes to extend SE Leonard Road to the site, which will be served by loop private streets "A" and "B". The off-site portion of NE Leonard Road is an unimproved roadway that is not capable of handling additional traffic that would be generated to and from Vintage View Subdivision. The terrain has potentially unstable slopes and there is no indication that the road, as it exists, anticipates the volume of traffic that would be generated from the proposed development. There is no documentation indicating how the applicant proposes to handle the traffic circulation in the area, given that NE Leonard Road is the only access for ingress and egress onto this site. (See condition of approval A-2)

Approval criterion 3

The proposed use will have no significant adverse effect on abutting property or permitted use thereof.

Finding 3

Staff finds that the proposed development could have adverse traffic impact on abutting property or permitted uses in the area. The applicant is proposing single-family attached housing within a master planned gated community. Even though the duplexes will have a common wall and roof, the building floor plans submitted by the applicant (Exhibit 5, Sheet 7 of 7) indicate that the proposed housing are similar to those existing at Sunrise Summit, Phase 1 to the north, and Waterleaf PUD (formerly Sunrise Summit Phase II) that is being proposed to the east.

The proposed density complies with the density guidelines in Table 18.405.060 for the R1-10 district. The 8.36 acre site could be divided into a maximum of 36 lots, each 10,000 square feet. Table 2 shows that of the 8.36 acres, approximately 3.44 acres are preserved as open space and enhanced habitat / wetland area, and approximately 1.36 acres will be dedicated as right-of-way for private road improvement. The net developable land is approximately 3.56 acres, which is divided into a maximum of 30 lots, consistent with CCC 18.405.030 (B). The density proposed by Vintage View PUD does not exceed the gross density that would otherwise be permitted in the R1-10 district.

Table 2: Sensitive lands, ROW, and density

Zone	Gross acres	Sensitive lands/OS	ROW in acres	Net acres	# lots gross acres	# lots net acres	# lots proposed
R1-10	8.36	3.44	1.36	3.56	36 - 24	15 - 10	30

The applicant has provided a sample building envelope on two lots to ensure that the proposed houses would foster or enhance neighborhood compatibility.

The applicant is providing lots of various sizes to ensure the construction of a variety of housing stocks; and providing housing choices to consumers in a range of income brackets, thereby promoting the comprehensive plan policies regarding the provision of affordable housing in Clark County. Staff finds that the number of lots proposed is within the acceptable density, per the PUD standards in the R1-10 Zoning Districts; and therefore, complies with the code. Staff adopts by reference, the lot configuration contained in the applicant's narrative (see condition of approval A-3).

Approval criterion 4

The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or welfare of persons residing or working in the neighborhood of such use and will not under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in the neighborhood; nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development.

Finding 4

Staff finds that the applicant will make the necessary improvements needed to connect the proposed development to public water and sewer systems to mitigate any potential public health impacts. The utility reviews from City of Camas indicate that adequate facilities exist in the area to support this development. Staff finds further that the proposed trail, wetland and riparian habitat protection and open space would, when implemented, mitigate potential negative impacts to the public and persons residing or working in the neighborhood. This criterion is met; and therefore, no condition of approval is required.

Approval criterion 5

The applicant has proposed unique or innovative design concepts to further specific policies of the comprehensive plan.

Finding 5

The development can comply with the comprehensive plan recreation policy. The plat shows a meandering trail originating from SE 20th Street to the north on the northern section of the site, through the private drive in Vintage View, to the southern section, and terminating at the “view platform” in Sunrise Summit (Waterleaf Subdivision). (See Exhibit 5, Sheet 1 of 7). The trail, the riparian conservation habitat, the picnic area and the view platform will provide opportunities for both passive and active recreation to the residents in the area. If the applicant implements the site plan identified as Exhibit 5, then this standard is met; therefore no condition of approval is necessary.

Historic Preservation

Finding 6

The Washington State Office of Archaeology and Historic Preservation provided comments regarding the potential presence of historic artifacts on this site. The state wants the archaeological set aside to be reinstated. The state also wants the archaeological buffer to be professionally flagged and delineated. The state’s letter is adopted here by reference and attached to the staff report as Appendix “A”. The applicant shall comply with the recommendations contained in Appendix I (see condition of approval A-4).

Shoreline

Finding 1

The site lies within Round Lake’s Shoreline Conservancy Zone; therefore any development that impacts the shoreline area will require a shoreline permit approval. The applicant has submitted some preliminary shoreline information and a draft Joint Aquatic Resources Permit Application Form (JARPA). This submittal is incomplete because no application form has been filed and the required fees have not been paid. The shoreline permit is reviewed by a committee as a special application, and the applicant needs to apply for, and obtain a shoreline permit for this development, prior to final plat recording. (See condition of approval A-5)

CRITICAL AREAS:

Wetlands

Finding 1

(Reserved for Wetland comments)

Habitat

Finding 1

According to the Clark County GIS mapping indicators and the plat map, there are two riparian Habitat Conservation Zone's (HCZ's) extending onto the property. The waters responsible for the riparian designations are Round Lake and an associated tributary. Round Lake is a Department of Natural Resources (DNR) Type 1 Water in this area, whereas the tributary is mapped as a DNR Type 5 Creek. According to CCC Table 13.51.050, a DNR type 1 water requires a 250' riparian HCZ in order to protect fish and wildlife habitat. The HCZ extends outward from the ordinary high water mark 250 feet, or to the edge of the 100-year floodplain, whichever is greater. The former of these two measurements is applicable to the site. A DNR type 5 watercourse requires a 150 feet riparian HCZ.

Round Lake is separated from the project area by an existing roadway. As a result, the 250-foot riparian HCZ width is reduced to 100-feet. Per CCC Table 13.51.060, row 16, "clearing or development in riparian habitat areas which is at least 100 feet from the waterline and separated by a continuous public or private roadway serving 3 or more lots" is exempt from the Habitat Conservation Ordinance (HCO). The applicant correctly points out in Exhibit #9 that the project is greater than 100-feet from the lake and separated by an existing roadway serving three or more lots. Therefore, the subdivision is exempt from having to mitigate for any impacts to the Round Lake riparian HCZ

In contrast, the applicant does have to deal with the jurisdictional type 5 creek and associated 150' riparian HCZ on the property. According to the preliminary plat, the applicant is proposing some future development and trail encroachments within portions of the riparian HCZ. As mitigation for these reductions in the riparian HCZ width, the applicant is proposing habitat mitigation. Staff finds that the revised "Habitat Buffer Enhancement Plan" submitted by The Resource Company, Inc. and dated July 9, 2004 (Exhibit #9) adequately mitigates these habitat impacts. Due to severe Himalayan blackberry infestation within the designated planting areas, staff provided additional conditions in order to ensure habitat mitigation success (see Conditions 9 & 10). Therefore, the proposal can comply with CCC Chapter 13.51, the Habitat Conservation Ordinance, provided conditions of approval A-6 through A-17 are implemented.

TRANSPORTATION CONCURRENCY:

The proposed development is located east of NE Everett Road, at the terminus of NE Leonard Road. The applicant's traffic study has estimated the weekday AM peak hour trip generation at 13 new trips, while the PM peak hour trip generation is estimated at 16 trips. The following paragraphs document two transportation issues for the proposed development.

Issue #1: Concurrency

The applicant submitted a traffic study for this proposal in accordance with CCC 12.41.050(A) and is required to meet the standards established in CCC 12.41.080 for

corridors and intersections of regional significance. The County's Traffix™ model includes the intersections of regional significance in the area and the County's model was used to evaluate concurrency compliance.

Finding 1: Site Access

Level of Service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur at the site access to the arterial and collector network (Everett Road). This access appears to maintain acceptable LOS.

Finding 2: Adjacent Jurisdictions

Although the subject site is located in Clark County, the development generates traffic that effect adjacent jurisdictions. The County has notified the City of Camas and WDOT of the development for review and comment.

Concurrency Compliance

The proposed development complies with the Concurrency Ordinance CCC 12.41 subject to the mitigation situation described above.

ISSUE 2: SAFETY

Where applicable, a traffic study shall address the following safety issues:

- Traffic signal warrant analysis,
- Turn lane warrant analysis,
- Accident analysis, and
- Any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 12.05A.230. This ordinance states as follows:

"Nothing in this chapter shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Chapter 12.41 CCC or a significant traffic or safety hazard would be caused or materially aggravated by the proposed development: provided that the developer may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 3: Traffic Signal and Turn Lane Warrants

Turn lane warrants are evaluated at un-signalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. The applicant's traffic study analyzed the roadways in the local vicinity of the site to determine if turn lane warrants are met. Turn lane warrants were not met at any of the un-signalized intersections analyzed in the applicant's traffic study; therefore, mitigation is not required. Signal warrants are not met at any of the subject intersections analyzed in the applicant's traffic study.

Finding 4: Historical Accident Situation

The applicant's traffic study analyzed the accident history at the regionally significant intersections; however, all of the historical accident rates at these intersections are

below 1.0 accident per million entering vehicles. Therefore, mitigation by the applicant is not required.

TRANSPORTATION:

Circulation Plan

Finding 1

In compliance with Section CCC 12.05A.110, the circulation plan shall provide adequate cross-circulation for serving the proposed subdivision and allow future developments to meet the cross circulation standards. The project proposes to serve the development by extending SE Leonard Road to the east ending it in cul-de-sac. The properties to the south will have direct access to the proposed extension of SE Leonard Road. Environmentally sensitive areas and platted properties prevent roadway extension to the north and east. The property to the west of the site abuts SE Leonard Road with direct access onto to it. However, the project does not meet the block length and block perimeter requirements per subsection CCC 12.05A.110 (3). The applicant has requested a modification to the cross-circulation standards. (See Transportation Finding 8)

Roads

Finding 2

SE Leonard Road (AKA SE 35th Avenue) currently connects the project site to SR 500 on the west. Within the project limits, it extends as a driveway to two existing residences. Beyond the residences, the driveway will be converted to a pedestrian trail. Currently a portion of SE Leonard Road has less than adequate width and paved surface. The project proposes to improve a portion of this road within the project limits with a 28-foot wide pavement section with a 5-foot sidewalk along the north side, within a dedicated 50-foot wide right-of-way. The project proposes to terminate this road in a one-way turnaround similar to a "roundabout" with a landscaping in the middle. The Transportation Standards do not provide provisions for this type of cul-de-sac. The applicant has requested a road modification to allow this non-standard configuration. (See Transportation Finding 8)

Offsite Improvements - SE Leonard Road to the west of the development is partially improved with less than 18 feet of paved width. In accordance with Section CCC12.05A.230(1), a proposed development may be denied where off-site road conditions are inadequate to provide a minimum level of service as specified in the Concurrency Ordinance or a significant traffic or safety hazard would be caused or materially aggravated by the proposed development. The developer may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.

In accordance with Section CCC12.05A.230(2)(a), all public or private roads providing access to parcels being developed, shall at a minimum have an unobstructed and paved roadway of 20 feet, except in those areas where the preexisting road is 18 feet wide with 1 foot wide shoulders. Based on the county GIS mapping, portions of the offsite roadway are within floodway fringe. Work in these areas will require a floodplain review.

Under RCW 82.02.020, staff has no authority to impose conditions on a development for the needed off-site improvements. However, unless the applicant volunteers to mitigate the impact, staff is compelled to recommend denial of a project due to substandard offsite safety conditions, which will be exacerbated because due to additional traffic generated by the proposed development. Therefore, staff has no choice but to recommend denial of the project since the applicant has not volunteered to perform offsite improvements to provide a minimum level of service and safe access to the development.

Sight Distance – It appears that the corner sight distances at the intersection of SE Leonard Road and State Route 500 are obstructed. The Washington State Department of Transportation has jurisdiction over SR500 and its intersection with SE Leonard Road. Therefore, county staff refers the review of the deficiencies and required mitigation measures to WSDOT review authority.

Finding 3

The onsite road 'A' is proposed as a private road with a 28-foot wide paved roadway, curbs, and 4.5-foot wide sidewalk on both sides, within a 30-foot easement. The entrance will contain a 10-foot island with the same lane width and sidewalk widths within a 48-foot easement. The proposed private road shall be constructed in accordance with the provisions of Section CCC 12.05A.270.

A 20-foot wide paved roadway on either side of the proposed island shall be provided to facilitate the emergency vehicle access. The right-of-way in this location shall be increased accordingly.

The project will be required to install a physical demarcation such as concrete driveway approach to separate the private roads from SE Leonard Road in order to facilitate determination of the ownership and maintenance responsibilities.

Finding 4

The onsite road 'B' and northerly loop are proposed as private roads with a 24-foot wide paved roadway, curbs, and 5-foot wide sidewalk on the one side within a 30-foot easement. The proposed private road shall be constructed in accordance with the provisions of Section CCC 12.05A.270.

Access

Finding 5

The applicant shall ensure that the existing access to the existing residences (within parcels 123829-000, 123830-000, and 123827-000) to the south of the site is appropriately reconstructed.

Sight Distance

Finding 6

The site's topography may pose some problems in limiting sight distances. Driveways and intersections shall have unobstructed sight distance triangles and the roadways shall have minimum stopping sight distances in accordance with the provisions of Section CCC12.05A.250.

Pedestrian Circulation

Finding 7

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with Section CCC 12.05A.400. The development plans show adequate pedestrian circulation along the proposed roads. Based on this information, the proposed pedestrian circulation complies with the CCC 12.05A. Sidewalks along the frontage of the residential lots shall be constructed prior to issuance of occupancy permit. The applicant has requested a road modification to allow sidewalk only on the north side of SE Leonard Road (See Transportation Finding 8)

Road Modification

Finding 8

Approval Criteria - If a development cannot comply with the Transportation Standards, modifications may be granted in accordance with the procedures and conditions set out in CCC 12.05A.660(1)(a). The request shall meet one (or more) of the following four specific criteria:

- i. *Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available.*
- ii. *A minor change to a specification or standard is required to address a specific design or construction problem, which, if not enacted, will result in an unusual hardship.*
- iii. *An alternative design is proposed which will provide a plan equal to or superior to these standards.*
- iv. *Application of the standards of the Transportation Standards to the development would be grossly disproportional to the impacts created.*

Modification Requests

A road modification application has been submitted to request approval of the following modifications:

- a. Modification to cul-de-sac standards - The applicant requests approval for a modification to cul-de-sac standards. The narrative submitted with the application indicates that a standard cul-de-sac at this steep location will represent a substantial increase in retaining walls to support a minimum 5% cross slope. The applicant proposes a one-way pattern with right-of-way of 120 feet exceeding the 100-foot right-of-way radius of 100 feet required for a standard cul-de-sac. The bulb will also contain a planting island.
- b. Modification to street section - The applicant is requesting modification to the requirement for sidewalks on both sides of public roads. The narrative indicates that proposing sidewalk on both sides of Leonard Road are not necessary because the

road will not be going through beyond this property and sidewalk on one side will allow for flexibility in grading and will not impede the circulation to and through the site. A sidewalk on one side will also improve access to the two existing driveways to the south.

- c. Modification to the requirements of circulation plan - The narrative indicates that it is not possible to provide connection to another area from the proposed access road because of site's topography, existing habitat area, and areas of excessive erosion and slope instability, make it physically impractical. Furthermore, the recently approved development within the properties to the east and north will not allow a connecting street due to their lot layout and steepness of the slopes to the east.

The applicant believes that these requests should be approved since they meet the criterion described in section CCC 12.05A.660 (1) (a) (i).

Staff's Evaluation

- a. Modification to cul-de-sac standards - The county Fire Marshal and Engineering services staff are of the opinion that the proposed non-standard cul-de-sac adequately provides for emergency vehicle turnaround. However, staff does not have the authority to approve a one-way public road. Clark County Code, subsection 10.02.010, adopts the "Washington Model Traffic Ordinance," Chapter 308-330 WAC, by reference. WAC 308-330-270(8) states that after an engineering and traffic investigation by the traffic engineer, the local authority may by resolution determine and declare one-way highways pursuant to RCW 46.61.135. Therefore, the applicant will be required to obtain approval for the proposed one-way turnaround from the City of Camas which will be the review authority upon completion of this preliminary land use approval process.
- b. Modification to street section - Staff finds that sidewalk on the north side of the road in addition to the proposed walking trail will adequately provide for pedestrian circulation in this location.
- c. Modification to the requirements of circulation plan - The residential development to the east will have access onto SE 20th Street to the north. The two existing dwellings to the south will have driveway access onto the extension of SE Leonard Road. Access to the exiting park and lake is provided from SE Leonard Road. Topographic constraints prevent roadway extension to the north and west of the site. Therefore, staff finds additional cross-circulation in this location is not needed.

Staff Recommendations

Based upon the above findings, staff finds that road modification approval criterion described in Section CCC 12.05A.660 (1) (a) (i) applies to the request for circulation plan and street modifications. This criterion also applies to the proposed non-standard cul-de-sac, provided, the proposed one-way road functioning as a turnaround is approved by the City of Camas approval authority.

Conclusions (Transportation Plan)

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation ordinance, and the findings above, staff

concludes that the proposed preliminary transportation plan does not meet the requirements of the county transportation ordinance.

STORMWATER:

Approval Criteria

Finding 1

Stormwater and Erosion Control Ordinance CCC 13.29, adopted July 28, 2000, apply to development activities that result in 2,000 square feet or more of new impervious area within the urban area and the platting of single-family residential subdivisions in an urban area. This project will create more than 2000 square feet of new impervious surface and involves platting of single-family residential subdivision. Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, CCC 13.29.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 13.29.200. This project is subject to the erosion control ordinance.

In accordance with CCC13.29.305 (E), advanced control of nutrients is required in the Lacamas watershed above the dam at the south end of Round Lake, for all development sites exceeding one (1) acre in size. All water leaving the site during the water quality design storm shall be treated. This development shall comply with this requirement.

Stormwater can be discharged directly into Lacamas and Round lakes without quantity control in accordance with CCC13.29 (E) (1), provided that the runoff is conveyed through a pipe or other approved discharge structure.

Stormwater Proposal

Finding 2

The project proposes to collect and route runoff from the site to Round Lake via a closed conduit. The project proposes to achieve the required stormwater water quality control, which in this area in addition to standard treatment include nutrient removal, by utilizing an underground filter system (Stormwater Management StormFilter®) before releasing directly to Round Lake. The proposed water quality facility is accepted by Clark County stormwater ordinance for standard treatment but not for nutrient removal. However, these types of facilities may be accepted as experimental BMP, provided that all the conditions in Section CCC 13.29.305(I) are met.

Site Conditions and Stormwater Issues

Finding 3

The Clark County Stormwater and Erosion Control Ordinance Section 13.29.305(E)(1) requires advanced control of nutrients within the Lacamas watershed above the dam at the south end of Round Lake for all developments exceeding one (1) acre in size. All water leaving the site during the water quality design storm shall be treated by one of the acceptable BMPs as listed in CCC 13.29.305(E) (2). The applicant is proposing a BMP not listed in this Section. (See Condition of Approval A-18)

Finding 4

The proposed StormFilter® is not listed in CCC 13.29.305(E)(2) as an acceptable BMP for phosphorus treatment, however the use of StormFilters has been approved as a viable treatment option within the Stormwater Management Manual for Western Washington Volume V Chapter 3.3, provided, a monitoring program is implemented **See** (Condition of Approval A-19)

Finding 5

Additional information has been submitted by the applicant for the adjacent development, Sunrise Summit PUD (AKA Waterleaf PUD) summarizing reports indicating that Storm-Filters with perlite media removed approximately 50% to 75% total phosphorus while wet ponds only removed approximately 20% to 50%. This finding exceeds the phosphorus removal requirements, and therefore staff would consider the proposed device as an experimental BMP. (See Condition of Approval A-20)

Finding 6

In the event that this experimental filter fails or is ineffective, staff finds that a backup system would be required. (**See Condition of Approval A-21**)

Finding 7

Section 13.29.310 (E) of the ordinance exempts quantity control, provided, runoff from the development site directly enters Round Lake through a pipe, all runoff is treated per Section 13.29.305, and a discharge structure is designed to avoid erosion during all storms up to the 100 year storm.

An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC13.29.305 (B) shall be performed to ensure that the additional runoff from this development does not adversely impact the downstream. Furthermore, the existing conveyance system shall be analyzed to ensure that the system has the capacity for receiving additional storm runoff from this development. (See Condition of Approval A-22)

Conclusion (Stormwater)

Based upon the development site characteristics, the proposed stormwater plan, the requirements of the County's stormwater ordinance, and findings above, staff concludes that the proposed preliminary stormwater plan, subject to conditions 18 through 22, is feasible.

Geologic Hazard

Applicability:

Finding 1

All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 13.60, Geologic Hazard Areas Regulations.

The county GIS mapping system indicates that the proposed development is within 100 feet of slope instability area and is adjacent to severe erosion hazard area; therefore, the provisions of CCC 13.60 apply to this development.

Geologic Hazard Issues

Finding 2

The Geotechnical Site Investigation Report submitted by the applicant was prepared by West Coast Geotech, Inc. for an adjacent development (PLD2002-00048, Sunrise Summit PUD) on July 8, 2002 (See Exhibit 6). In addition, the applicant has submitted a letter dated December 22, 2003, prepared by the same geotechnical firm recommending that the July 8, 2002, geotechnical report be considered for preliminary use for Vintage View development.

The report indicates that based on our review of a facsimile it is understood that the County has mapped a "sliver" of the southern portion of the project site with slopes greater than 25 percent. Our July 8, 2002 report does show a test pit within about 50 feet of these areas. In another part of the letter, it is stated that unanticipated soil conditions are commonly encountered and cannot be fully determined merely by reviewing file reports for nearby project. More soil explorations and testing may likely be needed in order to address the significant issues as the final engineering plan evolves to fruition.

Based on the County GIS mapping, the southern portion of the site is within a potentially unstable slope and severe erosion hazard area. The applicant proposes to extend SE Leonard Road and construct a cul-de-sac in this area. Although not identified in the GIS map as area of slope instability and excessive erosion hazard areas, the GIS contours and site visit show steeper than 25% slopes exist along the westerly boundary and easterly portion of the project site, where future homes are to be placed. The submitted soil investigation report does not discuss the potential impacts of grading, road construction, and placement of homes in these areas.

A site-specific geotechnical report for problem areas shall include recommendations for grading, erosion, construction of the future roadways / structures, slope stability, wet weather construction methods, and onsite drainage. Furthermore, as part of the analysis, a minimum setback line from the top of the slopes shall be established and delineated on the plat. Without these information, the feasibility of building either the proposed roads or homes in these areas become questionable. Therefore, a more detailed site-specific geotechnical report that addresses the feasibility of constructing the proposed roads and placement of homes will be required.

Conclusion:

Staff finds that the requirements of CCC 13.60 **are not satisfied**.

FIRE PROTECTION:

Fire Marshal Review

Fire Protection Finding 1

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Building Construction

Fire Protection Finding 2

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process, (see condition of approval B-1).

Fire Flow

Fire Protection Finding 3

Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is not currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval, (see condition of approval A-23).

Fire Hydrants

Fire Protection Finding 4

Fire hydrants are required for this application. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads, (see condition of approval A-24).

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact the Fire District 9 at 360-834-4908 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant, (see conditions of approval B-1, A-23 and A-24).

Fire Apparatus Access

Fire Protection Finding 5

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus, (see condition of approval C-2).

Fire Apparatus Turnarounds

Fire Protection Finding 6

Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standard (see condition of approval C-3).

WATER & SEWER SERVICE:

Finding 1

The City of Camas provides public water and sewer services in the area.

Finding 2

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the

Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site are connected to water and sewer systems. The Health Department Final Approval Letter will confirm that all existing wells and septic systems have been abandoned, inspected and approved by the Health Department (if applicable). (See condition of approval E-2).

Finding 3

Other Health Concerns

Finding 3

Advisory: If underground storage tanks exist on the property, they must be identified and decommissioned in place consistent with the Uniform Fire Code under permit from the Fire Marshal. Any leaks or contamination must be reported to Washington State Department of Ecology, and proof of removal or abandonment (of the tank) must be submitted to the Health Department prior to final plat recording. (See condition of approval A-15)

IMPACT FEES:

Finding 1

Finding 1

The site is located in Camas School District's school impact fees (SIF) district. The county does not have a park improvement district and a traffic district in the area. Therefore, this development will be assessed only the school impact fee on 30 new single-family attached homes for Camas School District.

The following note shall be placed on the final plat stating that:

"In accordance with CCC 18.65, the School Impact Fee (SIF) for 30 each new single-family attached dwelling in this PUD subdivision is:

1. \$1,000.00 per new single-family housing in the Camas's School District. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule." (See condition of approval B-2)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS) ;

- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS): Clark County, as lead agency for review of this proposal, has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (e). This decision was made after review of a completed environmental checklist and other information on file with the County.

Date of Publication & Comment Period:

Publication date of this DNS is July 28, 2004, and is issued under WAC 197-11-340. The lead agency will not act on this proposal until the close of the 14-day comment period, which ends on August 11, 2004.

Public Comment Deadline:

AUGUST 11, 2004

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$186**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for

review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Michael Uduk, (360) 397-2375, ext. 4385.
Krys Ochia, (360) 397-2375, ext. 4834

Responsible Official: Michael V. Butts

Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.co.clark.wa.us>

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 5), and the findings and conclusions stated above, staff recommends the Hearings Examiner:

1. **DENY** this request as proposed because the density proposed exceeds the maximum density that would otherwise be approved consistent with the net developable acreage.
2. If the applicant demonstrates that the preliminary plat can comply with the applicable sections of the transportation standards, the geologic hazards area ordinance, and the planned unit development ordinance, then staff recommends the Hearings Examiner **APPROVE** the request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

- A. Conditions that must be met prior to Final Plat approval and recording; or if improvements are approved by the county for bonding or other secure method, such conditions shall be met prior to issuance of Building Permits per CCC, Sections 40.350.030(C)(4)(i) & (j) and 40.380.040N.**

Land Use

- A-1** The applicant shall record a covenant running with the land providing for the maintenance of the open space by a homeowners' association (or a public agency, if applicable). (See Land Use Finding 1)
- A-2** The applicant shall provide documentation indicating that adequate road circulation exists in the area to support the proposed development. Compliance with the applicable sections of the county's transportation standards is required. (See Land Use Finding 2)
- A-3** Each lot proposed, must comply with all the dimensional standards in the R1-10 zoning district, except as modified by the lot configuration shown on Sheet 3 of 7 of the Vintage View Plat and Table 1 of Exhibit 6, Narrative tab, page 15. The average lot width and the average lot depth shall be 30 feet and 50 feet, respectively, and the minimum lot area shall be 3,400 square feet. (See Land Use Finding 3)
- A-4** The applicant shall demonstrate compliance with the recommendations contained in Appendix "A", the comments from the state archaeological and historic preservation office. (See Land Use Finding 6)

Shoreline

- A-5** The applicant shall obtain a shoreline permit prior to final plat recording for any development proposal that impacts Round Lake's Shoreline Conservancy Zone. (See Shoreline Finding 1)

Habitat

- A-6** The applicant shall implement Exhibit #9 the revised "Habitat Buffer Enhancement Plan" submitted by The Resource Company, Inc. and dated July 9, 2004, except as amended herein. (See Habitat Finding 1)
- A-7** A copy of this mitigation plan shall be available on site during construction, for inspection by Clark County development inspection personnel. (See Habitat Finding 1)
- A-8** All requisite mitigation shall be installed prior to Final Plat approval, unless otherwise postponed through the establishment of a performance/maintenance bond, escrow account, or other financial guarantee acceptable to the Planning Director. (See Habitat Finding 1)
- A-9** The applicant shall monitor and replace as necessary the habitat plantings for a period of five (5) growing seasons in order to ensure adequate survival and blackberry suppression. (See Habitat Finding 1)
- A-10** All Himalayan blackberries shall be removed prior to installation of the required habitat plantings and be periodically removed from the planting area for the life of the 5-year plant monitoring period. (See Habitat Finding 1)

- A-11** Signage of the reduced habitat boundaries shall be in place prior to initiating any groundbreaking activity. (See Habitat Finding 1)
- A-12** Locations of signage surrounding planting sites and habitat areas shall be clearly identified in the Engineering Construction Plans set. (See Habitat Finding 1)
- A-13** All habitat mitigation planting details shall be included on the Engineering Construction Plans set. (See Habitat Finding 1)
- A-14** Signage shall be posted along the habitat boundaries at an interval of one (1) per lot or every one hundred (100) feet, whichever is less, and be perpetually maintained by the homeowners in such a manner so as to sufficiently identify and protect habitat functionality. (See Habitat Finding 1)
- A-15** In addition to the signage along the lot boundaries, the applicant shall post signs at 200-foot intervals along the walking path that inform pedestrians or pet owners; "Habitat Conservation Area -- please stay on the trail." (See Habitat Finding 1)
- A-16** As indicated on the proposed preliminary plat, the applicant shall protect all trees within the riparian HCZ including no grading (cuts or fills) within the drip-line of protected trees. (See Habitat Finding 1)
- A-17** The applicant shall enter all remaining acreage within the reduced riparian HCZ and the habitat enhancement/compensation areas into a Habitat Conservation Covenant prior to Final Plat approval. (See Habitat Finding 1)

Transportation

(Reserved for Transportation Standards)

Stormwater and Erosion Control

- A-18** The BMP being proposed may be utilized by a monitoring program under the County requirements of an Experimental BMP. (See Stormwater Findings 3)
- A-19** The monitoring program of this BMP is mandatory and will utilize the adjacent wet pond located in the Sunset Summit subdivision as a baseline to determine the effectiveness of the BMP. (See Stormwater Finding 4)
- A-20** Since the system is experimental technology, the plan would require a 2-year effectiveness study with a published paper at the conclusion. The effectiveness monitoring would need to be conducted by a consultant from Stormwater Management and contract with them for the testing at the developer's expense. Two copies of the results of this testing shall be mailed to the County; One (1) to Richard Drinkwater, Engineering Services Supervisor, and the other to Jeff Schnabel, Water Resources Specialist, Clark County Public Works. (See Stormwater Finding 5)
- A-21** A backup system of equivalent size to the proposed system shall be set aside to contain an additional filter system, if and when needed. In the event that the

existing experimental system fails or is ineffective, the filter media shall be modified to include an appropriate filter media to meet the county's nutrient control requirements. (See Stormwater Finding 6)

- A-22** An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC13.29.305 (B) and an analysis for capacity of the downstream system shall be included in the technical information report (TIR). (See Stormwater Finding 7)

Fire Protection

- A-23** Fire flow in the amount of 1,000 gallons per minute supplied for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is not currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Fire Protection Finding 3)
- A-24** Fire hydrants are required for this application. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Fire Protection Finding 4)
- A-24** Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact the Vancouver Fire Department at 360-696-8166 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant (see conditions of approval B-1, A-22 and A-23). (See Fire Protection Finding 4)

Health Department

- A-26** If underground storage tanks exist on the property, they must be identified and decommissioned in place consistent with the Uniform Fire Code under permit from the Fire Marshal. Any leaks or contamination must be reported to Washington State Department of Ecology, and proof of removal or abandonment (of the tank) must be submitted to the Health Department prior to final plat recording. (See Health Department Finding 3)

B. Conditions that must be met prior to issuance of Building Permits

Fire Protection

- B-1** Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process, (see condition of approval B-2).

Impact Fees

- B-2** "In accordance with CCC 18.65, school impact fee for each of the 30 new single-family attached dwellings in this subdivision is:

- School Impact Fees: \$1,000.00 (for Camas School District).

If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees shall be recalculated according to the then-current ordinance rate.

C. Conditions that must be met prior to issuance of Occupancy Permits

Landscaping

- C-1** The applicant shall implement the landscaping plan identified as Sheet 6 of 7 on Exhibit 5, and attached to this report. (Land Use Finding 1)

Fire Protection

- C-2** Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 5)
- C-3** Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standard. See Fire Protection Finding 6)

D. Notes Required on Final Plat

The following notes shall be placed on the final plat:

D-1 Archaeological:

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

D-2 Mobile Homes:

"Placement of Mobile Homes is prohibited."

D-3 Impact Fees:

"In accordance with CCC 18.65, School Impact Fee for each of the 30 townhouses in this subdivision is: \$1,000.00 (for Camas School District).

The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-4 Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all lots as noted. Sidewalks considered to be the responsibility of the developer, shall be constructed prior to final plat approval."

D-5 Utilities:

"An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

D-6 Critical Aquifer Recharge Areas:

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

D-7 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-8 Driveways:

"No direct access is allowed onto the following streets: N/A

D-9 Private Roads:

"Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this plat. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or adjoining lot owners to include hard surface paving and is accepted by the County for public ownership and maintenance."

D-10 Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

D-11 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-12 Driveways:

"All residential driveway approaches entering public roads are required to comply with CCC 12.05A."

D-13 Privately Owned Stormwater Facilities:

"The following party or parties is/are responsible for long-term maintenance of the privately owned stormwater facilities: The Home owners of Vintage View Subdivision."

D-14 Geologic Hazard:

(Reserved for note language)

D-15 Floodplain:

(Reserved for note language)

E. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

Land Division:

- E-1** Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

Water Wells and Septic Systems:

- E-2** Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Well/Septic Abandonment Letter" must be submitted, the Evaluation Letter will specific the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy).

Final Construction Plan Review:

E-3 Transportation:

Prior to construction, the applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 12.05A.

E-4 Stormwater:

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 13.29.

E-5 Pre-Construction Conference:

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

E-6 Erosion Control:

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 13.29.

E-7 Erosion Control:

A copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

E-8 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

E-9 Erosion Control:

Erosion control facilities shall not be removed without County approval.

E-10 Excavation and Grading:

Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).

E-11 Excavation and Grading:

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

E-12 Landscaping:

Prior to recording the final plat, the applicant shall submit a copy of the approved landscape plan(s) for any public right-of-way (if applicable) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee with a maximum fee of \$5,000.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County

Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of **\$279** (made payable to the Clark County Board of County Commissioners).

Attachments:

- Copy of SEPA Checklist
- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan
- Exhibit List

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>